

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STEPHEN G. LINGIS, DONALD L. SMITHX
and PETER D. WHITE, on Behalf of :
Themselves and a Class of Persons Similarly : No. 03 C 5044
Situated, :
Plaintiffs, : Judge Rebecca R. Pallmeyer
v. :
: :
MOTOROLA, INC., DAVID :
DEVONSHIRE, THE PROFIT SHARING :
COMMITTEE OF MOTOROLA, INC., :
RICK DORAZIL, CHRISTOPHER B. :
GALVIN, ROBERT L. GROWNEY, :
RONNIE C. CHAN, H. LAURANCE :
FULLER, ANNE P. JONES, DONALD R. :
JONES, JUDY C. LEWENT, WALTER E. :
MASSEY, NICHOLAS NEGROPONTE, :
JOHN E. PEPPER, JR., SAMUEL C. :
SCOTT III, GARY L. TOOKER, B. :
KENNETH WEST, JOHN A. WHITE and :
CARL F. KOENEMANN, :
Defendants. :
X

NOTICE OF APPEAL

Notice is hereby given that Plaintiffs Stephen G. Lingis, Donald L. Smith, Peter D. White and Bruce G. Howell, on their own behalves, on behalf of the class certified by the district court, and on behalf of the Motorola, Inc. 401(k) Profit Sharing Plan, hereby appeal to the United States Court of Appeals for the Seventh Circuit from the Memorandum Opinion and Order, dated and entered June 17, 2009, denying Plaintiffs' motion for summary judgment and granting Defendants' motions for summary judgment (Document 448), and from the Judgment in a Civil Case dated and entered on June 17, 2009 (Document 449).

Dated: July 14, 2009

STULL, STULL & BRODY

s/Edwin J. Mills

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